

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§	
	§	
DEEP MARINE HOLDINGS, INC., et al.	§	Case No. 09-39313
	§	
Debtors.	§	Jointly Administered Chapter 11
	§	
	§	

DEEP MARINE HOLDINGS, INC., and DEEP MARINE TECHNOLOGY INCORPORATED	§	
	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Adversary No. 10-3026
	§	
FLI DEEP MARINE LLC, BRESSNER PARTNERS, LTD., LOGAN LANGBERG, HARLEY LANGBERG, and DEEPWORK, INC.	§	
	§	
	§	
Defendants.	§	

ORDER

The Court having considered Paul McKim's Motion for Entry of Order Regarding Subpoena, and after reviewing the motion, responses, and argument of counsel, the Court hereby ORDERS the following:

The February 3, 2010 subpoena issued to Paul McKim by Defendants FLI Deep Marine LLC (the "McKim Subpoena") in the United States Bankruptcy Court Adversary Proceeding Case No. 09-39313 is hereby QUASHED.

In light of the fact that Deep Marine Holdings, Inc. and Deep Marine Technology Incorporated (the "Debtors") have custody of the report prepared by the Debtors' Special

Committee in response to the Defendants' October 2008 demand letter (the "Report"), the Court has sua sponte decided to consider whether the Debtors should provide a copy of the Report to Defendants FLI Deep Marine LLC, Bressner Partners, Ltd., Logan Langberg and Harley Langberg (the "Defendants") and, if so, what restrictions shall be placed on Defendants' use of the Report, if any.

By no later than April 9, 2010, the Debtors shall file with the Court a statement listing the recipients of the Report.

By no later than April 16, 2010, the Debtor shall send a letter to each recipient of a copy of the Report, informing the recipients that they are required by the Court to provide to the Debtors a list of anyone to whom the recipient sent a copy of the Report, by no later than April 30, 2010.

By no later than May 7, 2010, the Debtors shall file a supplemental report with the Court listing each recipient of the Report, including without limitation those recipients of whom the Debtors became aware as a result of their April 16, 2010 letter.

By no later than May 21, 2010, each of the Debtors and the Defendants shall file with the Court a brief concerning the issue of whether the Report is subject to the attorney-client privilege.

On May 27, 2010, at 3:00 p.m., the Court will hear oral arguments on the attorney-client privilege issue. At the same time, the Court will hold a status conference regarding the scheduling of the preliminary injunction hearing.

SIGNED this ____ day of _____, 2010.

THE HONORABLE MARVIN ISGUR